



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

SANDRA L. ETHELTON  
ETHERTON LAW GROUP, LLC  
5555 E. VAN BUREN STREET, SUITE 100  
PHOENIX, AZ 85008

**COPY MAILED**

**DEC 17 2007**

**OFFICE OF PETITIONS**

In re Application of  
Michael J. Tilley et al.  
Application No. 10/726,801  
Filed: February 2, 2003  
Attorney Docket No. 309-002

:  
: DECISION NOTING JOINDER OF  
: INVENTOR AND PETITION UNDER  
: 37 CFR 1.47(a) ) DISMISSED AS  
: INVOLVING MOOT ISSUES

A petition under 37 CFR 1.47(a) was filed December 2, 2003 and was dismissed in a decision mailed April 2, 2004. A renewed petition, also filed under 37 CFR 1.47(a), was filed April 5, 2004 was dismissed in a decision mailed October 11, 2006.

Papers filed on December 11, 2006, in reply to the "Decision Refusing Status Under 37 CFR 1.47(a)" mailed October 11, 2006, included a declaration signed by previously non-signing inventor Douglas Linc Clark, in compliance with 37 CFR 1.63.

In view of the joinder of the inventor, further consideration under 37 CFR 1.47(a) is unnecessary.

The renewed petition filed December 11, 2006 is **DISMISSED** as involving moot issues.

This application does not have any rule 1.47(a) status and no such status should appear on the file wrapper. This application need not be returned to this office for any further consideration under 37 CFR 1.47(a).

This matter will be referred to Technology Center 3726 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions